

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2002-092063

09/02/2003

HON. DAVID K. UDALL

CLERK OF THE COURT
M. Scott
Deputy

000525207700
IN RE THE MARRIAGE OF
LISA A NOVAK

FILED: 09/08/2003

BRIDGET A HUMPHREY

AND

TODD J NOVAK

TODD J NOVAK
2146 W PLATA AVE
MESA AZ 85202

DIANE G MCGUIRE
AG-CHILD SUPPORT-EAST VALLEY
OFFICE
CONCILIATION SERVICES-SE

MINUTE ENTRY

The Court having taken this matter under advisement following the Temporary Orders/Contempt hearing held on August 28, 2003, the Court has considered the evidence presented and the arguments of the parties, makes the following findings and enters the following Orders:

THE COURT FINDS that the parties have two minor children; namely, Payton A. Watson, born March 10, 1998; and Sunnie N. Novak, born March 26, 2002. The Court finds that the parties have a difficult time communicating with one another with respect to the issues pertaining to the children. The Court finds that this is a high conflict case. The Court finds that both parties have had a history of drug abuse.

The Court has reviewed the Dispute Assessment by Family Evaluator, Audrey M. Davison, dated August 22, 2003, in which she recommends that Mother receive sole custody. The Court believes that these parties would not be able to work together if joint custody were granted. Accordingly,

IT IS ORDERED *pendente lite* awarding Mother sole custody of the two minor children.

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IT IS FURTHER ORDERED *pendente lite* that Father may have parenting time with the oldest child, Payton, every other weekend from Friday, after school, when he shall pick up Payton and then he shall drop her off at school on Monday morning.

IT IS FURTHER ORDERED *pendente lite* that Father shall have parenting time with Sunnie every other weekend from Saturday at 10:00 a.m. until Saturday at 10:00 p.m. In addition, Father shall have parenting time with the children every Tuesday after school (or daycare) and shall return them to school or daycare on Wednesday morning.

IT IS FURTHER ORDERED *pendente lite* that unless the parties otherwise agree, they shall observe the following Holiday Schedule:

HOLIDAY SCHEDULE

<u>Holiday</u>	<u>Even Years</u>	<u>Odd Years</u>
New Year's Eve (8 a.m. until 8 a.m. On New Year's Day)	Mother	Father
New Year's Day (8 a.m. until 8 p.m.)	Father	Mother
MLK Day (until 6 p.m.)	Mother	Father
Spring Break	Father	Mother
President's Day (until 6 p.m.)	Father	Mother
Easter (8 a.m. until the next a.m.)	Mother	Father
Mother's Day & Mother's Birthday	Mother	Mother
Memorial Day (until 6 p.m.)	Father	Mother
Father's Day & Father's Birthday	Father	Father
Fourth of July (9 a.m. until the next a.m.)	Mother	Father
Labor Day (until 6 p.m.)	Mother	Father
Columbus Day (until 6 p.m.)	Father	Mother
Halloween (9 a.m. until the next a.m.)	Father	Mother
Veteran's Day (9 a.m. until 6 p.m.)	Mother	Father
Thanksgiving Day (9 a.m. until next a.m.)	Father	Mother
Christmas Eve (6 p.m. until 11 a.m. on 12/25)	Father	Mother
Christmas Day (11 a.m. until 6 p.m. on 12/26)	Mother	Father

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Holiday assignments shall supercede the regular scheduled parenting time. The parent who has the children when there is a three-day weekend will have the children for the entire three-day weekend.

Mother shall have the children primarily on the children's birthday in even-numbered years and Father shall have the children primarily on the children's birthdays in odd-numbered years, unless the parties otherwise agree.

IT IS FURTHER ORDERED **affirming** the current child support Order.

IT IS FURTHER ORDERED that neither party shall use illegal substances.

IT IS FURTHER ORDERED that Father shall submit to a *hair follicle drug test* through Lab Express, Inc., Building A, 505 West McDowell, Phoenix AZ 85003, Telephone 602-257-0900 within 48 hours of receipt of this minute entry.

The Court makes the necessary findings pursuant to Rule 58(d) Arizona Rules of Civil Procedure and signs this minute entry as the formal written Order of the Court.

09/04/2003

Date

/S/ HON. DAVID K. UDALL
JUDICIAL OFFICER OF THE SUPERIOR COURT